

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Serial No.: 10/598,026 )  
)  
Filed: August 16, 2006 )  
)  
For: BREATHING ASSISTANCE )  
APPARATUS )  
)  
Applicant: McAULEY ET AL. )  
)  
Atty Docket No.: 1171/45436/171-PCT-US )

**STATEMENT UNDER 37 CFR § 1.497(d) TO CORRECT INVENTORSHIP**

Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR §1.497(d), I, Craig Robert Prentice, hereby state to the Commissioner that I am an inventor in the above-identified patent application, as well as International Application No. PCT/NZ05/000023 which was filed on February 18, 2005 and published as WO 2005/079726.

Through error, I was omitted from said International Application. The error arose without any deceptive intention.

I hereby state that the correct inventorship for International Patent Application No. PCT/NZ05/000023 and United States patent application Serial No. 10/598,026 is:

**Alastair Edwin McAuley** of Auckland, NZ;

**Craig Robert Prentice** of Auckland, NZ; and

**Oliver Gleeson** of Auckland, NZ.

I respectfully request that this Statement accepted and acknowledged.

Respectfully submitted,

Date: 11/11/06

By:   
Craig Robert Prentice